

Notice of Allowability

Application No.

10/804,572

Examiner

Anabel M. Ton

Applicant(s)

WARNECKE ET AL.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/21/06.
2. ☒ The allowed claim(s) is/are 2-16, 18-25 and 27-33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: In claims 18,19 and 20 DELETE "17", INSERT -----16-----.

Allowable Subject Matter

1. Claims 2-16,18-25,27-33 are allowed.
2. The following is an examiner's statement of reasons for allowance: The prior art cited does not anticipate individually nor teach in combination the following limitations;
 - A color changing apparatus having at least a filter flag formed of a first color, the first filter flag exhibiting along at least a portion of a length thereof, a first range of first color saturation gradations in the first color, the first range of the first color saturation gradations extending along the first filter flag to define a less saturated region of the first portion and a more saturated region and the first filter flag further comprising a second portion, the second portion exhibiting a first selected constant saturation level and at least a first filter flag positioned for supportively positioning the at least first filter flag at least selectably at an angle offset from the axial direction of the light beam, the first filter flag positioned for translating

the first filter flag selectably to position a selected portion thereof in the light beam a light beam characteristic of the light beam dependent upon which portion of the first filter flag formed the selector position selectively positioned on the light beam;

- A color changing apparatus having a first lens and a second lens spaced apart therefrom, the first lens and the second lens positioned in the path defined by an axial direction of the light beam; at least a first filter flag formed of a first color the filter flag exhibiting along at least a portion of a length thereof, a first range of first color saturation gradations in the first color, at least a first filter flag positioned for supportively positioning the least first filter flag at east selectably at an angle offset from the axial direction of the light beam, the first filter flag positioned for translating the first filter flag selectably to position a selected portion thereof in a light beam, a light beam characteristic of the light beam dependent upon which portion of the first filter flag forms the selected portion selectably positioned in the light beam and wherein the first filter flag is positionable by the first filter flag positioner between the first lens and the second lens.
- The method in claims 16,18,19,20
- A color changing apparatus having a first filter flag having a first part and at least a second part the first part of the first filter flag exhibiting first color characteristics and the second part of the first filter flag exhibiting second color characteristics any of the first part of at least the second part of the first filter flag postionable in the first beam, a second filter flag having a first part and at least a second part

the first part of the second filter flag exhibiting third color characteristic and the second filter flag exhibiting fourth color characteristics any of the first part of the at least second part of the second filter flag also positionable in the light beam, selection of which parts of the first and second filter flags, respectively, positioned in the light beam determinative of lighting characteristics thereof said first and second filter flag selectable positioned thorough sliding linear translation along an axis substantially perpendicular to the light beam;

- Color-changing apparatus for a light assembly having a light source that generates a light beam in at least an axial direction, said color-changing apparatus comprising: a first lens positioned in-line with the light beam, said first lens for redirecting light energy of the light beam incident thereon in directions generally parallel to the axial direction of the light beam; a filter flag formed of at least a first color supportively positioned, through linear translation, at an angle direction offset from the axial direction of the light beam and in-line with the light beam, once redirected by said first lens, said filter flag for coloring the light beam; a second lens positioned in-line with the light beam, once colored by said filter flag, said second lens for shaping the light beam in a desired manner; and a linear translation actuator for actuating translation of said filter flag to position a selected portion of said filter flag in the light beam.
- A color-changing apparatus for a light assembly having a light source that generates a beam in at least an axial direction, said color-changing apparatus comprising: a light source producing a light source light beam; an optical

assembly comprising at least two lens groups positioned in a path defined by the axial direction of the light beam; a single first filter flag formed of a single first color supported between the two lenses so as to be moveable across said light beam; a second single filter flag formed of a second single color supported between the two lenses so as to be movable across said light beam; wherein said single first filter flag is positioned between the two lenses of the optical assembly so as to integrate the light and provide a single color output beam.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anabel M Ton
Examiner
Art Unit 2875

AMT



Sandra O'Shea
Supervisory Patent Examiner
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